

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4330 of 2025

Arising Out of PS. Case No.-404 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

=====

Udish Yadav @ Udish Kumar Yadav, (M), aged about 25 years, Son of Raghu
Yadav, Resident of Turki, P.S. - Simri Bakhtiyarpur and District - Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjeev Verma, Advocate
For the Opposite Party : Mr. Nitya Nand Tiwary, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Simri
Bakhtiyarpur P.S. Case No. 404 of 2024 dated 27.08.2024
registered for the offences punishable under Sections 25(1B)a,
26 and 35 of the Arms Act.

3. As per the prosecution case, on 26.08.2024, two
absconded criminals Udish Yadav (petitioner) and Rajesh Yadav
were arrested by STF on secret information. On query, the
petitioner has confessed that he has hidden the weapons at the
house of his associate Ram Naresh Sah @ Maulbi. A Sanha was
registered in this regard and he alongwith other police personnel
proceeded from the concerned police station and arrived at



Village-Bhatauni and surrounded his house but he was found absconded. It is further alleged that on search in presence of the villagers, two country made katta alongwith five live cartridges were recovered from the house of Ram Naresh Sah @ Maulvi hidden in trunk.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no concern either with the co-accused Ram Naresh Sah @ Maulvi or with the recovered illegal firearms and just to frame and indict the petitioner on his denial to bribe the police this fake and false accusation was levelled against the petitioner. The co-accused Ram Naresh Sah @ Maulvi has been arrested by the police but he has not stated anything against the petitioner. The petitioner has been made accused in the present case because he has past criminal antecedents. No incriminating article has been recovered from his possession. The petitioner has eight (08) criminal antecedents as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 27.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Saharsa in connection with Simri Bakhtiyarpur P.S. Case No. 404 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

